

# EXHIBIT I

**CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF PUBLIC WORKS**

**ORDER NO. 163,368**

**ESTABLISHING GUIDELINES FOR THE PLACEMENT OF PUBLIC SERVICE KIOSKS  
ON CITY STREETS AND PUBLIC PROPERTY.**

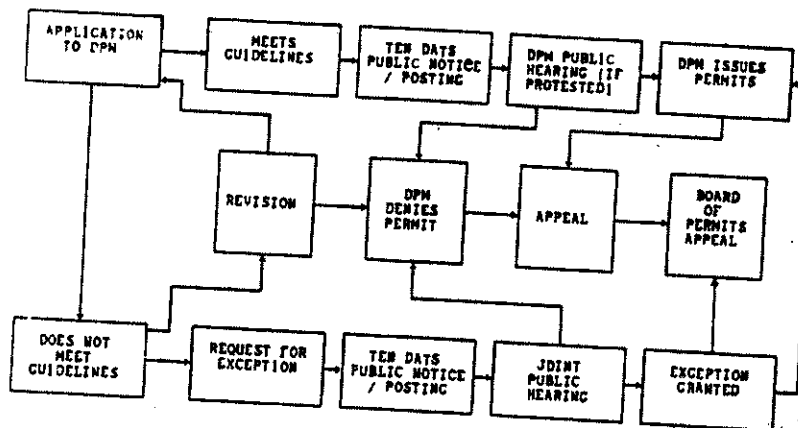
Pursuant to Public Works Code Article 8, the Director of Public Works hereby establishes the following guidelines for the placement of public service kiosks on City streets and public property.

"Public Service Kiosk" means a free standing circular kiosk, the exterior of which is divided into three sections, two of which display advertising panels of approximately fifty (50) square feet each, and one of which provides access to a public service, such as public art, a newsstand, newsrack, display of map or local information, telephone booth, recycling bin, vending machine, interactive video information system, or other public service.

These guidelines are in addition to all provisions of the Public Works Code and are enforceable as part of Article 8.

**1 APPLICATION AND APPROVAL:**

A. The application process is summarized in the following chart:



B. Application to install public service kiosks shall be submitted to the Department of Public Works. Applications shall consist of Location Drawings showing public service kiosk placement, together with an application fee of three hundred fifty dollars (\$350.00). Location drawings shall include the following:

1. A twenty feet (20') to one inch (1") scale (20:1 scale) representation of the proposed public service kiosk site covering the area from the property line to the street centerlines at the nearest intersection. Mid-block sites can be shown with broken line ties.
2. All necessary street dimensions, such as sidewalk width, the location of any curb ramp and driveway and street width, and all surface structures, including hydrants, utility poles and catchbasins.

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3. Electrical service connections and foundation details for public service kiosk.
  4. Location of utilities under and in the vicinity of the proposed kiosk site.
  5. Electrical and foundation plans shall be stamped and signed by an engineer registered with the State of California.
- C. Notification of application to install public service kiosks shall be sent to fronting businesses, property owners, San Francisco Municipal Railway and Department of City Planning. Notices shall be posted within one hundred feet (100') of proposed public service kiosk site a minimum of ten (10) days prior to the hearing date.
- D. At the end of the ten days posting period, public hearing will be held by DPW for sites that received protest. The Director of Public Works or the Director's designee shall decide whether to issue permit after considering testimony received at the hearing.
- E. Applicant may request an exception for those public service kiosk sites which do not meet the guidelines set forth in this Order. A request for an exception shall be considered at a public hearing conducted jointly by the Director's designee, a representative appointed by the Director of the Art Commission, and a representative appointed by the Director of City Planning. The hearing shall be a public hearing for which notice shall be given as described in paragraph (C) above. The three hearing officers may authorize public service kiosks which do not comply with the guidelines if facts presented show that measures will be taken to minimize the impact of the kiosks or that the public toilet program benefits outweigh the anticipated impact. The Art Commission's designee may require the request for exception be referred to the Art Commission if the proposed site has a major urban design impact on the City.
- F. For those public service kiosk sites that are denied, the applicant may appeal by writing within fifteen days of the denial to the Executive Director of the Board of Permit Appeals, City Hall, Room 154A, San Francisco, CA 94102 to request that the matter be considered by the Board of Permit Appeals.

**II. PLACEMENT GUIDELINES:**

- A. All public service kiosks must conform to all applicable State, Federal and Local accessibility codes and regulations. A minimum of four feet (4') of pedestrian clearance (free of all obstacles for a clear path of travel) must be maintained on the sidewalk at all times. (Figure One) A minimum of six feet should be provided where sidewalk widths allow.

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- B. Public service kiosks may not intrude on pedestrian "clear zones" at corners. Kiosks shall be set back a minimum of five feet (5') from edge of crosswalk. (Figure Two)

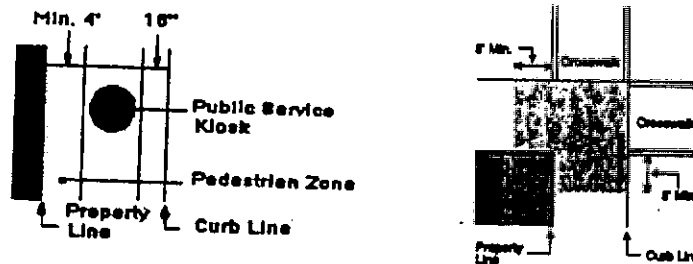


FIGURE ONE: Sidewalk Zones. FIGURE TWO: Corner Clear Zone

- C. Public service kiosks shall be placed not less than:
1. Eighteen (18") from the outside edge of the curb. Overhangs of roof line are permitted on all sides. However, an overhang may not protrude to within eighteen inches (18") of the edge of the curb except where overhang is more than ten feet (10') above the surface of the sidewalk. At no time may overhangs protrude beyond face of curb.
  2. Eight feet (8') from any fire escape and/or fire exit.
  3. Five feet (5') from any fire hydrant, driveway, wheelchair ramp, blue zone parking space, curb cut, crosswalk, pedestrian reservoir or corner.
  4. Sixty feet (60') from any Muni transit shelter and/or Kiosk.
  5. Five feet (5') from any certified street artist's designated area.
  6. Sixty feet (60') from any public art work under the jurisdiction of the Art Commission, except for public art on kiosks.
  7. Forty inches (40") from any other structure not otherwise specified herein, including but not limited to street light poles, parking meters, trees, etc.
- D. Public service kiosks shall not be placed on sidewalks which are less than twelve feet (12') wide.
- E. Public service kiosks shall not be placed over any storm drain or similar structure.
- F. Public service kiosks shall not obstruct any traffic sign or traffic signal.

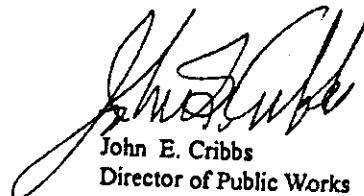
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- G. Public service kiosks shall not be placed on medians or traffic islands.
- H. Three (3) public service kiosks may be placed at intersections on Market Street only if they replace existing newsstands. Otherwise, no more than two (2) kiosks shall be placed at any Market Street intersection.
- I. Public service kiosks shall be placed not less than one hundred fifty feet (150') apart on any block face on Market Street. Kiosks shall be placed at random, rather than in a fixed, predictable pattern.
- J. Public service kiosks shall not be installed where placement would significantly impede the flow of pedestrian traffic. Kiosks which replace existing newsstands shall not worsen pedestrian congestion. New kiosks shall not be placed where their placement would reduce the pedestrian level of service below Level D.
- K. Public service kiosks shall not intrude, obstruct, diminish or reduce a significant view or become overwhelming objects of key views including planned and significant street elements.

**III. CONSTRUCTION REQUIREMENTS**

- A. The applicant shall obtain the required permits, if any, from regulating agencies of the State of California.
- B. The applicant shall contact the Department of Parking and Traffic at 25 Van Ness Avenue, phone 554-2300 for traffic requirements prior to beginning construction.
- C. The applicant shall conduct his construction operations in accordance with the requirements of Article 11 of the Traffic Code and the applicable sections under Section 110, Traffic Routing Work, of the Standard Specifications.
- D. The applicant shall call Underground Service Alert (U.S.A.) telephone number 1-800-642-2444, 48 hours prior to any excavation.
- E. Applicant shall be solely responsible for any damage to existing facilities.
- F. Construction must conform to all applicable City specifications and regulations.

  
John E. Cribbs  
Director of Public Works

**CITY AND COUNTY OF SAN FRANCISCO  
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**RECOMMENDED:**

*Denise M. Brady*  
Denise M. Brady, Chief  
Bureau of Street-Use and Mapping

**APPROVED:**

*Vitaly B. Troyan*  
Vitaly B. Troyan  
Deputy Director, Public Services

Distribution

Outside B.S.M  
Dept Files (2)  
Street Repair  
SFPD - Traffic Survey

Central Permit Bureau  
Traffic - H. Quan  
Attached List

Inside B.S.M  
J. Rodriguez -450 McAllister  
F. Casey - Inspector

JS/dl

**APPROVED: SEPTEMBER 8, 1993**

**JOHN E. CRIBBS, DIRECTOR**

**CITY AND COUNTY OF SAN FRANCISCO  
DEPARTMENT OF PUBLIC WORKS**

**ORDER NO. 169,739**

**MODIFYING PROCEDURE FOR THE NOTIFICATION PROCESS REQUIRED TO PLACE  
PUBLIC SERVICE/ADVERTISING KIOSKS ON CITY STREETS AND PUBLIC PROPERTY IN  
CONJUNCTION WITH THE PUBLIC TOILET PROGRAM.**

Pursuant to Public Works Code Article 8, the Director of Public Works hereby modifies the procedure set forth in DPW Order No. 163,368 for the placement of public service/advertising kiosks on City streets and public property. This Order is intended to supersede Order No. 169,653 in its entirety.

"Public Service/Advertising Kiosk" means a free standing circular kiosk, the exterior of which is divided into three sections, two of which display advertising panels of approximately fifty (50) square feet each, and one of which provides access to a public service, such as public art or a newsstand.

The following procedure shall apply to all proposed public service/advertising kiosks as well as kiosks that are exceptions as described in Section E, DPW Order No. 163,368 approved on September 8, 1993.

- A. The Department of Public Works shall prepare a Public Hearing Notice that contains:
1. Date, time and place of public hearing.
  2. Deadline (one day before the hearing date) by which the public may submit written comments on the proposed kiosk installation.
  3. Drawing showing the area/intersection of the proposed installation and drawing of the proposed kiosk.
  4. Name of contact person and phone number and address of such person.
- B. DPW shall send the Public Hearing Notice twenty (20) days prior to the hearing date to:
1. Owners of property within one hundred and fifty foot (150') radius of the proposed kiosk site by certified mail.
  2. All occupants of dwelling units and/or commercial spaces of property within one hundred and fifty foot (150') radius of the proposed kiosk site. Notices shall be delivered by Decaux to all ground floor commercial occupants fronting on a public street by hand. For all other occupants, a supply of hearing notices shall be delivered by hand by Decaux to the owner or Property Manager of said building for delivery to the tenants

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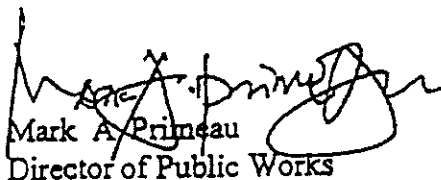
3. Any neighborhood or business organization listed in the "Neighborhood Organization Directory" published by the San Francisco Department of City Planning dated January 1996, that has submitted to DPW a written request for such notices and organizations determined by DPW that the proposed kiosk would have direct or indirect impact by such installation shall receive a notice by regular mail.

C. Public Hearing Notice shall be posted within one hundred feet (100') of proposed Public Service Kiosk site a minimum of twenty (20) days prior to the hearing date.

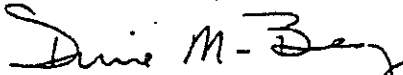
D. In order to facilitate the public hearing process, JCDecaux United Furniture, Inc. shall submit to DPW:

1. A 150-foot radius map.
2. A list of current property owners fronting and adjacent to the proposed kiosk.
3. Mailing labels of property owners using the addresses of properties contained in the records of the Tax Collector.
4. Postage stamps.

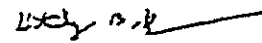
Except as provided herein, DPW Order No. 163,368 remains unmodified and in full force and effect. In the event if any inconsistency between this Order and Order No. 163,368, this Order shall control.

  
Mark A. Primeau  
Director of Public Works

RECOMMENDED:

  
Denise M. Brady, Chief  
Bureau of Street-Use and Mapping

APPROVED:

  
Vitaly B. Troyan  
Deputy Director, Public Services

Distribution  
Outside B.S.M

Dept Files (2)      Stuart Sunshine-Mayor's Office  
Traffic - H. Quan      Supervisor Barbara Kaufman  
Cliff Jarrard-Port      Attached list

Jesse Smith-Deputy City Attorney  
Francois Nion-JCDecaux

APPROVED: May 31, 1996

MARK A. PRIMEAU, DIRECTOR